



Express Mail Label No. EV173088187US

PATENT  
Atty. Docket No. BSC-181 (1002/249)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hammond et al.

SERIAL NUMBER: 09/733,752 GROUP NUMBER: 3738

FILING DATE: December 8, 2000 EXAMINER: Pellegrino, Brian E.

TITLE: FACILITATING DRAINAGE

Commissioner for Patents  
Washington, D.C. 20231

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AUG 13 2002  
ETC 3100 MAIL ROOM

**RESPONSE TO RESTRICTION/ELECTION REQUIREMENT**

This paper is responsive to the Office Action mailed from the Patent Office on July 12, 2002. The shortened statutory period for response expires on August 12, 2002.

The Office Action indicates that two inventions are claimed within this application and thus Applicants are restricted to choosing either Group I claims 1-9 or Group II claims 10-19. Applicants hereby elect Group II claims 10-19. Applicants reserve the right to pursue claims 1-9 in due course.

The Office Action also indicates that election of one species is required from each of the following groups of species: stent-catheter systems: Species A: Figures 1 and 2; and Species B: Figure 16; and pushing rod: Species 1) Figure 7; and Species 2) Figure 8. Although Applicants disagree with the species divisions, to move prosecution forward, Applicants hereby elect stent-catheters systems Species A: Figures 1 and 2; and pushing rod Species 1) Figure 7. The Office Action also requires a listing of all claims readable on the elected species, and applicant views those claims to be claims 10-15, and 19. While Applicants have not elected stent-catheter systems Species B, or pushing rod Species 2), Applicants reserve the right to pursue claims directed toward these remaining species in due course.

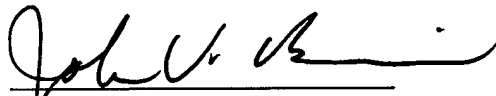
In addition, the Office Action indicates that election of one of the following species of prostatic stents and retaining devices may also be made: Species I: Figure 3; Species II: Figure 4; Species III: Figure 5; Species IV: Figure 6; Species V: Figures 10-12; Species VI: Figure 17; Species VII: Figure 26 (distal end of stent with retaining device); Species VIII: Figure 27 (distal end of stent with retaining device); and Species IX: Figure 28 (distal end of stent with retaining device). Applicants do not elect to pursue any of these prostatic stent and retaining devices species at this time, and reserve the right to pursue any of these species at a later time.

Applicants respectfully request that the application now proceed promptly to examination. Applicants believe that no additional fees are necessitated by the present Response. However, in the event that any additional fees are due, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 20-0531.

Dated: August 9, 2002  
Registration No. 36,748

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Respectfully submitted,



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08/12/02

3738

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# TRANSMITTAL FORM

Application Serial Number	09/733,752
Filing Date	December 8, 2000
First Named Inventor	Hammond
Group Art Unit	3738
Examiner Name	Pellegrino, Brian E.
Attorney Docket No.	BSC-181
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input checked="" type="checkbox"/> Amendment/Response <input checked="" type="checkbox"/> Restriction Requirement <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure (please identify below)
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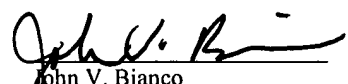
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